IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.59014-M of 2006

DATE OF DECISION:17.11.2006

Balwant Singh & Anr. .....Petitioners

Versus

State of Haryana and another .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri N.K.Joshi, Advocate for the petitioners.

Shri Partap Singh, Sr. DAG, Haryana.

Shri Sanjeev Gupta, Advocate for the complainant.

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The petitioners, apprehending their arrest in a non-bailable offence in case FIR No.472 dated 12.7.2005 under Sections 420/467/468/471/120-B IPC, registered at Police Station City Sirsa, have filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that the petitioners are the attesting witnesses of the agreement dated 28.1.2005, for violation of which the aforesaid FIR was registered on the complaint made by Makhan Ram and subsequently, on the statement of the accused in the said FIR, the police is thinking to arrest the petitioners alleging that the said agreement is fictitious document.

Counsel for the petitioners further contends that in view of the order dated 25.9.2006, the petitioners have joined the investigation. This fact has not been disputed by the State Counsel.

In view of the above, the interim bail, granted vide order dated 25.9.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioners shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 17, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**